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09/641,219	08/18/2000	Jun-Sik Jang	678-521 (P8994)	7260

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EXAMINER
GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 11/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/641,219	JANG, JUN-SIK	
	Examiner	Art Unit	
	Gerald Gauthier	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *6,7 and 10* is/are allowed.

6)☒ Claim(s) *1-5,8,9 and 11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 4-7 and 10** are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

3. Regarding **claims 4-7 and 10**, the phrase "one or both of bell and vibration mode" renders the claim indefinite because it is unclear whether the limitation(s) is one mode or two modes. If it is one mode, it is not clear if both "bell" and "vibration" will be provided in this mode.

Allowable Subject Matter

4. **Claims 6-7 and 10** would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Regarding claims 6-7 and 10, would be allowable for these limitations:

when each of the mode selecting keys is depressed while a predetermined audio output mode is selected by manipulation of the audio output key to control the data read out from the memory and the audio data read out from the audio memory so that the audio data is outputted as a voice through the audio processing section and the speaker.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 1, 8, 9 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum (US 6,014,569) in view of Higuchi et al. (US 6,275,690).

Regarding **claim 1**, Bottum discloses a mobile interactive radio (column 1, lines 4-7), (which reads on claimed "a device for outputting, as a voice, data information displayed on a display section"), comprising:

an audio output key (230 on FIG. 2) for selecting an audio output mode (column 5, lines 4-8) [The user selects the instruction from the menu];

a memory (180 on FIG. 1) for storing data displayed on the display section (column 4, lines 13-16) [The menu information on the display is stored on the menu unit];

an audio memory (180 on FIG. 1) for storing audio data corresponding to the audio output mode (column 7, lines 44-48) [The audio data is stored in the memory unit];

when the audio output mode is selected by manipulation of the audio output key, for reading out the data displayed in the display section from the memory and the audio

data from the audio memory (column 7, lines 20-26) [The menu is display on a display screen and be acoustically broadcast for audible perception by subscriber].

Bottum fails to disclose a portable telephone, an audio processing section and a control section.

However, Higuchi teaches a portable telephone (FIG. 2);

an audio processing section (7 on FIG. 1) for modulating an audio signal (column 5, line 25 "outgoing speech") inputted from a microphone (9 on FIG. 1), for converting the audio signal into, audio data (column 5, line 27 "digital transmission signal"), for demodulating audio data (column 5, line 13 "intermediate frequency signal") inputted from an RF processing section (4 on FIG. 1) and audio data (column 5, lines 19-20 "digital communication signal") stored in the audio memory (12 on FIG. 1) to convert into an audio signal (column 5, lines 22-23 "analog communication signal"), and for outputting the audio signal as a voice (column 5, lines 6-28); and

a control section (10 on FIG. 1), for transmitting the audio data to the audio processing section for outputting as the voice (column 5, lines 38-43).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a portable telephone, an audio processing section and a control section of Higuchi in the invention of Bottum.

The modification of the invention would offer the capability of a portable telephone, an audio processing section and a control section such as the portable telephone would be able to read the data display for visually impair user.

Regarding **claim 8**, Bottum discloses a mobile interactive radio (column 1, lines 4-7), (which reads on claimed "a method for outputting, as a voice, data information displayed on a display section") including an audio output key (230 on FIG. 2), comprising the steps of:

detecting data (column 4, line 3 "menu") displayed on the display section (172 on FIG. 1) in response to the selective depression of the audio output key (column 4, lines 1-7) [The interface detects the menu and displays it for the user on the display screen]; and

reading out audio data (column 4, line 3 "menu") corresponding to the detected data from an audio memory (180 on FIG. 1) and outputting, as a voice (column 4, line 4 "acoustically") sequentially audio data (column 4, line 3 "menu") corresponding to the data information displayed on the display section (column 4, lines 1-5) [The interface provides the menu acoustically for the user based on the instructions].

Bottum fails to disclose a portable telephone.

However, Higuchi teaches a portable telephone (FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a portable telephone, an audio processing section and a control section of Higuchi in the invention of Bottum.

The modification of the invention would offer the capability of a portable telephone, an audio processing section and a control section such as the portable telephone would be able to read the data display for visually impair user.

Regarding **claim 9**, Bottum discloses a mobile interactive radio (column 1, lines 4-7), (which reads on claimed "a method of outputting, as a voice, data information displayed on a display section") including an audio output key (178 on FIG. 2), comprising the steps of:

detecting data (column 4, line 3 "menu") displayed on the display section (172 on FIG. 1) in a standby state (column 4, lines 1-7) [The interface detects the menu and displays it for the user on the display screen];

determining whether or not the audio output key is depressed (column 4, lines 10-16) [The user press a selection button for designated audio offering];

storing data (column 4, line 14 "menu information") displayed on the display section in a memory (180 on FIG. 1) while a corresponding audio output mode (column 4, line 11 "audio offering") is selected in response to depression of the audio output key (column 4, lines 10-16) [The menu information on the display is stored on the menu unit];

reading out the data stored in the memory and an audio data (column 4, line 3 "menu") corresponding to the readout data from an audio memory (180 on FIG. 1) (column 4, lines 1-5) [The interface provides the menu acoustically for the user based on the instructions]; and

outputting, as a voice (column 4, line 4 "acoustically"), the readout audio data through a speaker (158 on FIG. 1) (column 4, lines 1-5) [The interface provides the menu acoustically for the user based on the instructions].

Bottum fails to disclose a portable telephone.

However, Higuchi teaches a portable telephone (FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a portable telephone, an audio processing section and a control section of Higuchi in the invention of Bottum.

The modification of the invention would offer the capability of a portable telephone, an audio processing section and a control section such as the portable telephone would be able to read the data display for visually impair user.

Regarding **claim 11**, Bottum discloses a mobile interactive radio (column 1, lines 4-7), (which reads on claimed "a device for outputting, as a voice, data information displayed on a display section"), comprising:

an audio output key (230 on FIG. 2) for selecting an audio output mode (column 5, lines 4-8) [The user selects the instruction from the menu];

a memory (180 on FIG. 1) for storing data displayed on the display section (column 4, lines 13-16) [The menu information on the display is stored on the menu unit];

an audio memory (180 on FIG. 1) for storing audio data corresponding to the audio output mode (column 7, lines 44-48) [The audio data is stored in the memory unit];

when the audio output mode is selected by manipulation of the audio output key, for reading out the data displayed in the display section from the memory and the audio

data from the audio memory (column 7, lines 20-26) [The menu is display on a display screen and be acoustically broadcast for audible perception by subscriber].

Bottum fails to disclose a portable telephone, an audio processing section and a control section.

However, Higuchi teaches a portable telephone (FIG. 2);

an audio processing section (7 on FIG. 1) for modulating an audio signal (column 5, line 25 "outgoing speech") inputted from a microphone (9 on FIG. 1), for converting the audio signal into audio data (column 5, line 27 "digital transmission signal"), for demodulating audio data (column 5, line 13 "intermediate frequency signal") inputted from an RF processing section (4 on FIG. 1) and audio data (column 5, lines 19-20 "digital communication signal") stored in the audio memory (12 on FIG. 1) to convert into an audio signal (column 5, lines 22-23 "analog communication signal"), and for outputting the audio signal as a voice (column 5, lines 6-28); and

a control section (10 on FIG. 1), for controlling the audio processing section to output the audio data as the voice (column 5, lines 38-43).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a portable telephone, an audio processing section and a control section of Higuchi in the invention of Bottum.

The modification of the invention would offer the capability of a portable telephone, an audio processing section and a control section such as the portable telephone would be able to read the data display for visually impair user.

7. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum in view of Higuchi and in further view of Toba (US 6,374,125).

Regarding **claim 2**, Bottum and Higuchi as applied to **claim 1** above differ from **claim 2** in that it fails to disclose switching the audio output mode of the portable telephone into a time mode.

However, Toba teaches a time mode selecting key for switching the audio output mode of the portable telephone into a time mode while the audio output mode of the portable telephone is selected in response to depression of the audio output key, wherein a time data displayed on the display section of the portable telephone is read out from the memory and a time audio data corresponding to the time data is read out from the audio memory in response to depression of the time mode selecting key so that the read out-time audio data is outputted as the voice through the audio processing section and then a speaker (column 7, lines 1-29).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switching the audio output mode of the portable telephone into a time mode of Toba in the invention of Bottum and Higuchi.

The modification of the invention would offer the capability of switching the audio output mode of the portable telephone into a time mode such as the portable telephone would be able to read the data display for visually impair user.

8. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum in view of Higuchi, in view of Toba and in further view of Nelson (US 6,061,718).

Regarding **claim 3**, Bottum, Higuchi and Toba as applied to **claim 2** above differ from **claim 3** in that it fails to disclose switching the audio output mode of the portable telephone into a received message mode.

However, Nelson teaches a received message mode selecting key for switching the audio output mode of the portable telephone into a received message mode while the audio output mode is switched into the time mode, wherein a received message data displayed on the display section of the portable telephone is read out from the memory and a received message audio data corresponding to the received message data is read out from the audio memory in response to depression of the received message mode selecting key so that the readout received message audio data is outputted as the voice through the audio processing section and then the speaker (column 6, lines 12-31).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switching the audio output mode of the portable telephone into a received message mode of Nelson in the invention of Bottum, Higuchi and Toba.

The modification of the invention would offer the capability of switching the audio output mode of the portable telephone into a received message mode such as the portable telephone would be able to read the data display for visually impair user.

9. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum in view of Higuchi, in view of Toba, in view of Nelson and in further view of Sainton et al. (US 6,134,453).

Regarding **claim 4**, Bottum, Higuchi, Toba and Nelson as applied to **claim 3** above differ from **claim 4** in that it fails to disclose switching the audio output mode of the portable telephone into a bell and vibration mode.

However, Sainton teaches a device further comprising a bell and vibration mode selecting key for switching the audio output mode of the portable telephone into a bell and vibration mode while the audio output mode is switched into the received message mode thereof, wherein a bell and vibration data displayed on the display section of the portable telephone is read out from the memory and a bell and vibration audio data corresponding to the bell and vibration data is read out from the audio memory in response to depression of the bell and vibration mode selecting key so that the read out Bell and vibration audio data is outputted as the voice through the audio processing section and then the speaker (column 14, lines 1-10).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use switching the audio output mode of the portable telephone into a bell and vibration mode of Sainton in the invention of Bottum, Higuchi, Toba and Nelson.

The modification of the invention would offer the capability of switching the audio output mode of the portable telephone into a bell and vibration mode such as the portable telephone would be able to read the data display for visually impair user.

10. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum in view of Higuchi, in view of Toba, in view of Nelson, in view of Sainton and in further view of Courtis et al. (US 6,377,820).

Regarding **claim 5**, Bottum, Higuchi, Toba, Nelson and Sainton as applied to **claim 3** above differ from **claim 4** in that it fails to disclose an antenna receiving electric field strength mode selecting key.

However, Courtis teaches a device further comprising an antenna receiving electric field strength mode selecting key for switching the audio output mode of the portable telephone into an antenna receiving electric field strength mode while the audio output mode is switched into the bell and vibration mode, wherein an antenna receiving electric field strength data displayed on the display section of the portable telephone is read out from the memory and an antenna receiving electric field strength audio data corresponding to the antenna receiving electric field strength data is read out from the audio memory in response to depression of the antenna receiving electric field strength mode selecting key so that the read out- antenna receiving electric field strength audio data is outputted as the voice through the audio processing section and then the speaker (column 3, lines 6-20).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an antenna receiving electric field strength mode selecting key of Courtis in the invention of Bottum, Higuchi, Toba, Nelson and Sainton.

The modification of the invention would offer the capability of switching the audio output mode of the portable telephone into a bell and vibration mode such as the portable telephone would be able to read the data display for visually impair user.

Response to Arguments

11. Applicant's arguments with respect to **claims 1-5, 8-9 and 11** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Gerald Gauthier
g.g.
November 14, 2002

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